JUL 2 8 2004 W

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Stark et al.

Application No.: 10/699,297

Filed: October 30, 2003

Conf. No.: 2549

For: PUPILOMETER WITH PUPIL

IRREGULARITY DETECTION, PUPIL

TRACKING, AND PUPIL RESPONSE

DETECTION CAPABILITY, GLAUCOMA)

SCREENING CAPABILITY,

INTRACRANIAL PRESSURE

DETECTION CAPABILITY, AND

OCULAR ABERRATION

MEASUREMENT CAPABILITY

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number <u>ER 728218934US</u>

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" on the date below in an envelope addressed to:

Commissioner for Patents
US Patent and Trademark Office

PO Box 1450 Alexandria, VA 22313-1450

Data

Signature

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed May 6, 2004, the following documents are submitted herewith:

- 1) A copy of the Notice to File Missing Parts.
- A check in the amount of \$65.00 to cover the \$65.00 late filing fee or oath or declaration surcharge.
- 5) Copy of Declaration filed in U.S. Application Serial No. 09/711,675; this

application is a continuation of U.S. Application Serial No. 09/711,675, the enclosed Declaration satisfies the requirements of 37 C.F.R. Section 1.63(d)

- 6) Return Postcard for this transmittal.
- 7) A duplicate of this sheet is enclosed.

Respectfully submitted,

Mikael Havlaeiyan Reg. No. 47,285

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APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/699,297

10/30/2003

Stark

39569-2661D

CONFIRMATION NO. 2549

FORMALITIES LETTER

OC000000013106032*

Mikael Havluciyan Heller Ehrman White & McAuliffe LLP 7th Floor 4350 La Jolla Village Drive San Diego, CA 92122-1246

Date Mailed: 06/30/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

• \$65 Late oath or declaration Surcharge.

Replies should be mailed to:

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